

City of Reading Charter Board

February 5, 2013 - 7:00pm

City Council Chambers

Members Present: Susan Gibson, Chair (@7:45pm); John Slifko,  
Vice Chair; Jerry Richter; Elizabeth Stanley

Members Absent: None

Members of Public and Invited Guests: Eric Smith, Board Solicitor  
Mr. Don Spatz (Reading Eagle)

I. Administration

- The Board Vice Chair announced that an executive session was held February 5, 2013 at 6:35pm to discuss:
  - (1) The enforcement status of the Final Opinion and Order in regard to Investigation #31;
  - (2) The appeal status of Investigation #32 before the Berks County Court of Common Pleas;
  - (3) The status of Declaratory Judgment Action, Docket #12-24830, regarding Mayor Spencer v. City of Reading Charter Board;
  - (4) The appeal period for the Board's Final Opinion and Order in regard to Investigation #34, issued 1/18/13;
  - (5) The Board's denial of Right to Know Request #1 (as amended) and Request #2 by the Reading Eagle, and the Eagle's intention to appeal therefrom; and
  - (6) The Reading Eagle's Right to Know Request #3 for a redacted document showing only the penalties imposed in the Final Opinion and Order of Investigation #34.

The Board entered executive session at 6:35pm and exited at 7:10pm.

- The Board will change the starting times for its regularly scheduled meetings from 7:00pm to 7:45pm from now through April 9, 2013 to accommodate the Chair's teaching schedule. The Chair will advertise the change through the City Clerk's office.

- A Charter Board Budget update was submitted showing total expenditures for 2012 to be \$126,269.64. Some invoices for work completed in 2012 may still be outstanding.
- It was announced that there has been one new Right to Know Request (REQ #3) for a redacted copy of the Final Opinion and Order in Investigation #34, showing only the penalties imposed. The Solicitor will respond to that Request before the February 11 deadline.
- Regarding the ongoing vacancy in the Board's full membership, no candidates are known to be in the application process. At the Educational Session immediately prior to this meeting, a plea was made by the Board to the Council members present to make it a priority to fill this vacancy. The Council members stated that an ad had been placed in the Reading Eagle seeking candidates for all boards and commissions.
- The minutes for the 1/16/13 meeting were reviewed and accepted on a motion by Ms. Stanley, 2nd by Mr. Richter. The motion passed by unanimous verbal vote.

#### IV. Education

- Immediately prior to this regularly scheduled meeting, from 5:00pm to 6:30pm, the Board held Educational Session #2 in Council chambers. In attendance were Board members Jerry Richter, John Slifko, and Elizabeth Stanley; Solicitor Eric Smith; and Council members Marcia Goodman-Hinnershitz, Strat Marmarou, Donna Reed, and Dennis Sterner.

The session began with a brief overview of Session #1, outlining the two sources and limits of power for Reading City government: Home Rule Law and the City of Reading Charter. Since Session #1 dealt with a more detailed analysis of Home Rule Law and the Executive Branch provisions of the Charter, Session #2 focused on all the remaining provisions: City Council, the Charter Board, Citizens' Rights, and Boards and Commissions. Finally, a set of hypothetical cases were posed to apply this analysis of Home Rule and Charter law.

In the course of discussion, Council members made a request that future Advisory Opinions of the Board be sent directly to the City Clerk, as well as posted on the website, in order to make certain that Council receives these Opinions.

III. Advisory - no new requests

IV. New Business

- The Vice Chair proposed that the Board begin a discussion of whether the Ordinance's confidentiality provisions should be amended. The discussion would involve a beginning-to-end review of the confidentiality requirements to see whether a model other than the State Ethics Code would be more appropriate for the Charter Board. It was agreed that a discussion would begin at the next regularly scheduled meeting.

V. Executive Session

- At 7:40pm the Board entered executive session to discuss the Board's policy on dissenting opinions and possible litigation arising therefrom. The Board exited executive session at 9:00pm.

VI Closing

- Meeting adjourned at 9:00pm.

Respectfully submitted,

John Slifko, Vice Chair  
City of Reading Charter Board